

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**IAR FAMILY TRUST and  
BURNETT BOYKIN,**

**Plaintiffs,**

**vs.**

**SUNTRUST MORTGAGE, INC.;  
SUNTRUST BANK, INC;  
ANDREW COGBILL, SUBSTITUTE  
TRUSTEE SERVICES, INC.;  
JEREMY WILKINS, SUBSTITUTE  
TRUSTEE SERVICES OF  
CAROLINA, LLC;**

**Defendants.**

**CIVIL ACTION NO. 3:13-cv-00418-GCM**

**ORDER**

This matter is before the Court on Defendant Andrew Cogbill's Motion to Strike Surreply pursuant to FRCP 12(f) (Doc. No. 39) and Memorandum in Support (Doc. No. 41). Therein, Defendant asserts that the filing of a surreply is not permitted by Local Rule 7.1(E). He is correct. Parties are permitted to file surreplies only upon an order of the Court.

The Court would also like to call the parties' attention to Local Rule 7.1(D) which provides, in pertinent part: "the page limit for any brief is 25 pages, the font size is a minimum of 12 point, *lines are double spaced*, margins are one inch, and each page is numbered" (emphasis added). The Court encourages the parties to review these rules and ensure that all future filings are in conformity therewith.

**IT IS HEREBY ORDERED** that Defendant Andrew Cogbill's Motion to Strike Surreply (Doc. No. 39) is **GRANTED**. Plaintiff IAR Family Trust's Surreply (Doc No. 38) is to be stricken from the record.

**SO ORDERED.**

Signed: December 5, 2013

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

